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09/629,735	07/31/2000	Joanne S. Walter	8657	4128

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EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/629,735

Applicant(s)

WALTER, JOANNE S.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

1. Claims 1-18 are pending.
2. The IDS filed 08/29/00 has been reviewed and entered as paper no. 2.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 3, 4, 8, 10, 11, 15, and 17 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 contains conditional statements in lines 4, 8, and 10 reciting "if said user enters ...". It is unclear what happens if said user does not enter ...". Clarification in the claim language is respectfully requested. Claims 3, 4, 8, 10, 11, 15, and 17 have a similar problem.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
7. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,897,625) Gustin et al, hereafter Gustin in view of (US 6,330,544) Walker et al, hereafter Walker.

With respect to claim 1, Gustin teaches, A method of operating an electronic banking terminal, comprising the steps of: permitting a user to deposit funds into a banking account if said user enters either a first PIN number or a second PIN number, said first PIN number being different than said second PIN number (col. 9, lines 51-67 and col. 10, lines 1-9); permitting said user to withdraw a first dollar amount from said banking account if said user enters said first PIN number (col. 10, lines 8-13 and lines 17-35). Gustin failed to teach, permitting said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount. Walker teaches, permitting said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount (col. 9, lines 41-61). It would have been obvious to one having ordinary skill in the art at the time the invention was made to permit said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount and to modify in Gustin because such a modification would allow Gustin to have an identifier that resembles a credit card account number to access the ATM or to generate a point of sale (POS).

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With respect to claim 2, Gustin failed to teach, wherein said step of permitting said user to deposit funds into said banking account includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card, and depositing said gift dollar amount into said banking account in response to said reading step. Walker teaches, wherein said step of permitting said user to deposit funds into said banking account includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card, and depositing said gift dollar amount into said banking account in response to said reading step (col. 15, lines 54-67 and col. 16, lines 1-13 and lines 21-34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to permit said user to deposit funds into said banking account includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card, and depositing said gift dollar amount into said banking account in response to said reading step and to modify in Gustin because such a modification would allow Gustin to have a negotiable instrument that is "Payable to Bearer" thus allowing the gift certificate to be freely transferred from an account owner to a recipient and can tender the same exchange for funds.

8. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gustin and Walker in view of (US 5,267,314) Stambler.

With respect to claim 3, Gustin teaches, further comprising the steps of: permitting said user to deposit funds into said banking account if said user enters a third PIN number, said third PIN number being different than both said first PIN number and

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said second PIN number (col. 9, lines 51-55, col. 11, lines 66-67, col. 12, lines 1-31, fig. 13 (380 & 382), fig. 13 A and fig. 13 B). Gustin failed to teach, prohibiting said user from withdrawing funds from said banking account if said user enters said third PIN number. Stambler teaches, prohibiting said user from withdrawing funds from said banking account if said user enters said third PIN number (col. 5, lines 4-20, col. 7, lines 59-68, col. 8, lines 1-2, and col. 10, lines 58-59-comparison failed, user is aborted). It would have been obvious to one having ordinary skill in the art at the time the invention was made to prohibit said user from withdrawing funds from said banking account if said user enters said third PIN number and to modify in Gustin because such a modification would allow Gustin to have the ability to block the third PIN number since it is not authorized or recognized and therefore the system will deny entry or abort it.

With respect to claim 4, Gustin teaches, wherein: said banking account has an account number associated therewith, said step of permitting said user to deposit funds into said banking account includes the step of permitting said user to deposit funds if said user enters (i) said account number (col. 4, lines 25-32), and (ii) either said first PIN number or said second PIN number, said step of permitting said user to withdraw said first dollar amount from said banking account includes the step of permitting said user to withdraw said first dollar amount from said banking account if said user enters (i) said account number (col. 4, lines 3-16, col. 9, lines 51-55 and lines 65-67, and col. 10, lines 1-2), and (ii) said first PIN number, and said step of permitting said user to withdraw said second dollar amount from said banking account includes the step of permitting

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said user to withdraw said second dollar amount from said banking account if said user enters (i) said account number, and (ii) said second PIN number (col. 10, lines 17-62).

With respect to claim 5, Gustin teaches, wherein (i) said electronic banking terminal includes a terminal having a currency acceptor (col. 15, lines 54-64). Gustin did not teach, the terminal was a point of sale terminal, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a point of sale terminal which includes a currency acceptor and to modify in Gustin because such a modification would allow Gustin to be capable of making a cash deposit for the purchase of merchandise. Gustin teaches, (ii) said step of permitting said user to deposit funds into said banking account includes the step of operating said currency acceptor so as to accept a cash deposit from said user (col. 15, lines 54-67 and col. 16, lines 1-20), said method further comprising the step of: operating said currency acceptor so as to allow said user to tender payment for an item for purchase (col. 16, lines 21-28).

With respect to claim 6, This limitation is discussed above in claim 5 wherein (i) said point-of-sale retail terminal further has a currency dispenser and therefore there is no further need to discuss it again. Gustin teaches, (ii) said step of permitting said user to withdraw said first dollar amount from said banking account includes the step of operating said currency dispenser so as to dispense currency equaling said first dollar amount (col. 17, lines 14-33), (iii) said step of permitting said user to withdraw said second dollar amount from said banking account includes the step of operating said currency dispenser so as to dispense currency equaling said second dollar amount (col.

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19, lines 18-67), said method further comprising the step of: operating said currency dispenser so as to provide change to said user when said user tenders payment for said item for purchase (col. 19, lines 50-67 and col. 22, lines 6-24).

With respect to claim 7, This limitation is discussed above in claims 5 and 6, said point-of-sale retail terminal further has a touch screen monitor associated therewith. Gustin teaches, (ii) said touch screen monitor is configured so as to allow said user to enter either said first PIN number or said second PIN number therewith, said method further comprising the step of: operating said touch screen monitor so as to allow said user to enter an item code associated with said item for purchase (col. 8, lines 40-43, col. 9, lines 51-54, and col. 10, lines 3-16).

With respect to claim 8, Gustin teaches, An electronic terminal, comprising: an input device (col. 8, lines 40-50- keyboard) for receiving input from a user; a processing unit (col. 8, lines 43-44 –keyboard (18) and microprocessor (21) electrically coupled to said input device; and a memory device (col. 8, lines 50-56) electrically coupled to said processing unit, wherein said memory device has stored therein a plurality of instructions which, when executed by said processing unit, causes said processing unit to: (a) permit said user to deposit funds into a banking account if said user enters either a first PIN number or a second PIN number with said input device, said first PIN number being different than said second PIN number (col. 9, lines 51-67 and col. 10, lines 1-9), (b) permit said user to withdraw a first dollar amount from said banking account if said user enters said first PIN number with said input device (col. 10, lines 8-13 and lines 17-35).



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Gustin failed to teach, (c) permit said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number with said input device, wherein said first dollar amount is less than said second dollar amount. Walker teaches, permitting said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount (col. 9, lines 41-61). It would have been obvious to one having ordinary skill in the art at the time the invention was made to permit said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount and to modify in Gustin because such a modification would allow Gustin to have an identifier that resembles a credit card account number to access the ATM or to generate a point of sale (POS).

With respect to claim 9, Gustin failed to teach, further comprising a code reader for reading a code stored on a gift card, wherein said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) read said code stored on gift card with said code reader so as to determine a gift dollar amount associated with said gift card, and (b) deposit said gift dollar amount into said banking account in response to determination of said gift dollar amount associated with said gift card. Walker teaches, further comprising a code reader for reading a code stored on a gift card (col. 9, lines 41-61), wherein said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) read said code stored on gift card with said code reader so as to determine a gift dollar amount associated

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with said gift card (col. 15, lines 54-67, and col. 16, lines 1-13), and (b) deposit said gift dollar amount into said banking account in response to determination of said gift dollar amount associated with said gift card (col. 7, lines 55-67, col. 8, lines 1-10 and lines 33-37, and col. 15, lines 12-31). It would have been obvious to one having ordinary skill in the art at the time the invention was made to a code reader for reading a code stored on a gift card, wherein said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) read said code stored on gift card with said code reader so as to determine a gift dollar amount associated with said gift card, and (b) deposit said gift dollar amount into said banking account in response to determination of said gift dollar amount associated with said gift card and to modify in Gustin because such a modification would allow Gustin to have a negotiable instrument that is "Payable to Bearer" thus allowing the gift certificate to be freely transferred from an account owner to a recipient and can tender the same exchange for funds.

With respect to claim 10, Gustin teaches, wherein said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) permit said user to deposit funds into said banking account if said user enters a third PIN number which is different than said first PIN number and said second PIN number (col. 9, lines 51-55 and col. 11, lines 66-67 and col. 12, lines 1-31). Gustin failed to teach, (b) prohibit said user from withdrawing funds from said banking account if said user enters said third PIN number. Stambler teaches, (b) prohibit said user from withdrawing funds from said banking account if said user enters said third PIN number (col. 5, lines 4-20, col. 7, lines 59-68, col. 8, lines 1-2, and col. 10, lines 58-59). It would

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have been obvious to one having ordinary skill in the art at the time the invention was made to prohibit said user from withdrawing funds from said banking account if said user enters said third PIN number and to modify in Gustin because such a modification would allow Gustin to have the ability to block the third PIN number since it is not authorized or recognized and therefore the system will deny entry or abort it.

With respect to claim 11, Gustin teaches, wherein: said banking account has an account number associated therewith, and said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) permit said user to deposit funds into said banking account if said user enters (i) said account number, and (ii) either said first PIN number or said second PIN number (col. 4, lines 25-32), (b) permit said user to withdraw said first dollar amount from said banking account if said user enters (i) said account number (col. 4, lines 3-16, col. 9, lines 51-55 and lines 65-67, and col. 10, lines 1-2), and (ii) said first PIN number, and (c) permit said user to withdraw said second dollar amount from said banking account if said user enters (i) said account number, and (ii) said second PIN number (col. 10, lines 17-62).

With respect to claim 12, Gustin teaches, further comprising (i) a scanner for allowing said user to enter an item for purchase, and (ii) a currency acceptor for accepting currency from said user, wherein said plurality of instructions, when executed by said processing unit (col. 17, lines 14-33), further causes said processing unit to: (a) operate said currency acceptor so as to accept a cash deposit into said banking account from said user (col. 5, lines 54-67 and col. 16, lines 1-20), and

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(b) operate said currency acceptor so as to allow said user to tender payment for said item for purchase (col. 16, lines 21-28).

With respect to claim 13, Gustin teaches, further comprising a currency dispenser for dispensing currency to said user, wherein said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) operate said currency dispenser so as to dispense currency equaling said first dollar amount to said user if said user enters said first PIN number with said input device (col. 19, lines 18-67), (b) operate said currency dispenser so as to dispense currency equaling said second dollar amount to said user if said user enters said second PIN number with said input device (col. 19, lines 50-67), and (c) operate said currency dispenser so as to provide change to said user when said user tenders payment for said item for purchase (col. 22, lines 6-24).

With respect to claim 14, Gustin teaches, wherein: said input device includes a touch screen monitor, and said plurality of instructions, when executed by said processing unit, further causes said processing unit to: (a) operate said touch screen monitor so as to allow said user to enter either said first PIN number or said second PIN number therewith (col. 8, lines 41-43 and lines 53-56), and (b) operate said touch screen monitor so as to allow said user to enter an item code associated with said item for purchase (col. 8, lines 62-65, col. 9, lines 51-67, col. 10, lines 1-16).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,897,625) Gustin et al, hereafter Gustin in view of (US 6, 330,544) Walker et al, hereafter Walker.

With respect to claim 15, A method of operating an electronic banking terminal, comprising the steps of: permitting a first user to deposit funds into a banking account if said first user enters (i) an account number associated with said banking account, and (ii) a first PIN number (col. 4, lines 25-32); permitting a second user to deposit funds into said banking account if said second user enters (i) said account number, and (ii) a second PIN number, said first PIN number being different than said second PIN number (col. 9, lines 51-67 and col. 10, lines 1-9); permitting said first user to withdraw a first dollar amount from said banking account if said first user enters (i) said account number, and (ii) said first PIN number (col. 10, lines 17-35). Gustin failed to teach, permitting said second user to withdraw a second dollar amount from said banking account if said second user enters (i) said account number, and (ii) said second PIN number, wherein said first dollar amount is less than said second dollar amount. Walker teaches, permitting said user to withdraw a second dollar amount from said banking account if said user enters said second PIN number, wherein said first dollar amount is less than said second dollar amount (col. 9, lines 41-61). It would have been obvious to one having ordinary skill in the art at the time the invention was made to permit said user to withdraw a second dollar amount from said banking account if said user enters

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said second PIN number, wherein said first dollar amount is less than said second dollar amount and to modify in Gustin because such a modification would allow Gustin to have an identifier that resembles a credit card account number to access the ATM or to generate a point of sale (POS).

With respect to claim 16, Gustin failed to teach, wherein said step of permitting said first user to deposit funds includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card, and depositing said gift dollar amount into said banking account in response to said reading step. Walker teaches, wherein said step of permitting said first user to deposit funds includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card (col. 15, lines 54-67 and col. 16, lines 1-3), and depositing said gift dollar amount into said banking account in response to said reading step (col. 16, lines 21-34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to permit said user to deposit funds into said banking account includes the steps of: reading a code stored on a gift card so as to determine a gift dollar amount associated with said gift card, and depositing said gift dollar amount into said banking account in response to said reading step and to modify in Gustin because such a modification would allow Gustin to have a negotiable instrument that is "Payable to Bearer" thus allowing the gift certificate to be freely transferred from an account owner to a recipient and can tender the same exchange for funds.

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11. Claims 17 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,897,625) Gustin et al, hereafter Gustin in view of (US 6, 330,544) Walker et al, hereafter Walker and further in view of (US 5,267,314) Stambler.

With respect to claim 17, Gustin teaches, further comprising the steps of: permitting a third user to deposit funds into said banking account if said third user enters (i) said account number, and (ii) a third PIN number, said third PIN number being different than both said first PIN number and said second PIN number (col. 12, lines 28-67 and col. 13, lines 1-3). Gustin failed to teach, (b) prohibiting said user from withdrawing funds from said banking account if said user enters (i) said account number and (ii) said third PIN number. Stambler teaches, (b) prohibiting said user from withdrawing funds from said banking account if said user enters (i) said account number and (ii) said third PIN number (col. 5, lines 4-20, col. 7, lines 59-68, col. 8, lines 1-2, and col. 10, lines 58-59). It would have been obvious to one having ordinary skill in the art at the time the invention was made to prohibit said user from withdrawing funds from said banking account if said user enters (i) said account number and (ii) said third PIN number and to modify in Gustin because such a modification would allow Gustin to have the ability to block the third PIN number since it is not authorized or recognized and therefore the system will deny entry or abort it.

With respect to claim 18, Gustin, Walker, and Stambler failed to teach, wherein: said first user is a child, and said second user is a parent of said child. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the first user to be a child and the second user to be a parent of the child and to

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modify in Gustin because such a modification would allow Gustin to have a child's bank account setup so that it is linked or connected to the parent's bank account if the child is a minor with the parent controlling the bank account.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Solokl et al (US 6,173,269) disclosed executing electronic transactions with teens.

Fleming (US 5,953,710) disclosed a children's credit or debit card system.

Armetta et al (US 5,864,830) disclosed prepaid satellite spending cards.

Korman et al (US 6,308,887) disclosed multiple-destination transactions and point-of-sale (POS) transactions.

Brody et al (US 5,350,906) disclosed fixed limit cards.

Konya (US 5,937,396) disclosed ATM transfers.

Dethloff et al (US 4,837,422) disclosed a multi-user card system.

### ***Inquiries***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for



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the organization where this application or proceeding is assigned is (703) 305-7687  
(Official Fax) and (703) 746-5622 (Unofficial Fax).

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is 703-308-  
1113.

  
E. Colbert  
March 20, 2004